

BOARD OF SELECTMEN

Minutes of the Meeting of 9 November 2005 at 7:00 PM. The meeting took place in the Court Room, Town & County Building, 16 Broad Street, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Bruce Watts, Whiting Willauer, Michael Glowacki and Brian Chadwick. Chairman Glowacki called the meeting to order at 8:15 PM following a meeting of the Board of Health.

Announcements. Chairman Glowacki announced Catherine Stover's acceptance in the second level of membership in the Master Municipal Clerk Academy. He announced advertised committee vacancies include Beach Management Advisory Committee, Commission on Disability, Conservation Commission, Cultural Council, Right of Way Committee and the deadline for applications of December 6, 2005.

Approval of Minutes of 2 November 2005 at 3:00 PM and 26 October 2005 at 7:00 PM. The Board approved each of the sets of minutes in turn by unanimous consent.

Approval of Payroll Warrant for Week Ending 6 November 2005. The Board approved the payroll warrant by unanimous consent.

Approval of Pending Contract for Week Ending 9 November 2005. The Board approved the pending contract by unanimous consent.

Public Hearing to Consider Transfer of Seasonal Wine and Malt Beverages Innholder License and Common Victualler License from 29 Fair Street Inc dba The Woodbox to 1709 Associates LLC dba 29 Fair Street, Charles Salliou, Manager, for Premises Located at 29 Fair Street. Chairman Glowacki opened the public hearing and welcomed anyone to speak. Attorney Brazilian spoke on behalf of the transfer of the licenses. Attorney Arthur Reade representing Dexter Tutein, the present owner, spoke in favor of the transfer noted no changes are being proposed as the request is for a transfer of the current licenses and responded to Attorney Melissa Philbrick's request for closure at 10:00 PM. William Fordyce of 3 Darling Street spoke about noise issues and asked for various restrictions to be imposed. Judy Belash of 6 Farmer St spoke on need for maintaining quiet restaurant. Island resident Ken Beaugrand also spoke to the matter of the neighborhood. Ms Philbrick spoke on behalf of abutters to define the licensed premises and the limits of same. Mr. Bennett inquired about both sides "working things out." Discussion followed. Mr. Watts spoke on behalf of the current and proposed owners. Mr. Chadwick thanked those present and clarified the matter before the Board, noting the appropriate forum for handling any future concerns. Chairman Glowacki closed the public hearing. Mr Chadwick moved to approve the transfer of liquor and common victualler licenses. Mr. Watts seconded. So voted unanimously.

Citizen/Departmental Requests

Finance Department: Request for Approval to Enter Into Bond Refunding Process. Finance Director Connie Voges described the potential bond refunding opportunity in conjunction with the already approved, but pending \$10.8 million new money sale and requested authorization to proceed. Mr. Chadwick moved that the Board grant approval to the Town Treasurer to provide for the sale and issuance of bonds in a principal amount not to exceed \$18,500,000 under MGL Ch 44, section 21A to refund all or any portion of the remaining principal of and redemption premium and interest on the Town's Municipal Purpose Loan of 1997 Bonds dated July 15, 1997. Mr. Watts seconded. So voted unanimously. Ms. Voges indicated that a return to the Board would be scheduled at a future date for the next step in the process.

Citizen Request for Building Department Fee Waiver. Island resident, Jennifer Kuhn, of 72 Somerset Road spoke on her own behalf. Mr. Bennett noted his own confusion on needs for permits. Mr. Bennett moved for board to waive the fee; there was no second. Mr. Watts referenced a letter received by the Board from Blackfin, LLC and suggested a sharing of the letter via Town Administration to Ms. Kuhn and then to reschedule the matter to a future agenda if so requested by the citizen to which the Board consented.

Nantucket Housing Office: Request for Approval to Proceed with Grant Application in Conjunction with Conversion of Town-Owned Orange Street Garage. Nantucket Housing Office Associate Executive Director Leedara Zola gave background and requested approval to follow up with the grant application. Mr. Jeff Willett, DPW Director, noted

need to allow for replacement garage and schedule. Ms. Zola responded. Mr. Willett noted future need of the DPW for shop space if the garage is to undergo usage change. Judy Lee, an abutter, spoke on her "befuddlement" on the use of the space. Mr. Bennett spoke on the need for affordable housing on the island and moved to approve the submission of the grant funding application due November 17, 2005 and to authorize the Town Administrator to sign it on the Board's behalf. Mr. Chadwick seconded. So voted unanimously.

Nantucket Preservation Trust, Inc: Request for Execution of Preservation Restriction for Premises Located at 8 Pine Street. Attorney Richard Loftin, representing the owner of the property, Margaret Yates Berkheimer described the restriction. Caroline Ellis spoke on behalf of the Nan Preservation Trust (VP) in support of the restriction. Mr. Chadwick moved to approve the granting of a preservation restriction by Margaret Yates Berkheimer to the Nantucket Preservation Trust, Inc pursuant to MGL Ch 184, Section 32 based on its finding that the restriction is in the public interest. Mr. Bennett seconded. So voted unanimously.

Marine Department Operations Update. On Chairman Glowacki's request, Marine Superintendent Dave Fronzuto agreed to a later date for the presentation on the Marine Department due to the late hour. He then gave an update on the harbors plan, noting the need to determine the level of adoption before the plan is approved. He noted that Urban Harbors Institute is available to provide input on options for adoption. Discussion followed. Chairman Glowacki indicated that the item would be assigned an upcoming agenda.

Town Administrator's Report. Acting Town Administrator Tracy Murray provided information on the completion date of the Sconset and Surfside enterprise fund and rate study as requested at the October 26, 2005 meeting.

Selectmen's Report/Comments.

1. Solid Waste Enterprise Account: Continuing Identification of Issues. Chairman Glowacki outlined the status and gave background to date. He further invited additional comments, but there were none.
2. Comprehensive Wastewater Management Plan: Prioritize Projects. Chairman Glowacki gave a brief background of activity to date and noted the question before the Board. Mr. Chadwick noted concerns with Item 4 and Item 5 and suggested a change in the prioritization in light of the Health Department's work with grey water systems to omit Item 4 and to delay adoption of Item 5 until the Board receives the estuaries report. Chairman Glowacki noted endorsement of the Septage Management Plan by the Board of Health and the Selectmen's "being in sync with that." Mr. Chadwick moved to endorse CWMP projects giving priority to Items 1-3, to defer Items 4 and 5 and to endorse the July 18, 2005 Septage Management Plan endorsed by the Board of Health. Discussion followed. Upon request, Mr. Chadwick amended the motion and moved that the Board endorse priority Item 1 and the Septage Management Plan as adopted by the Board of Health and further to endorse Items 2 and 3. Mr. Bennett seconded. So voted unanimously.

Mr. Chadwick introduced a letter from the Nantucket Sheriff on his offer to purchase a 24-foot patrol boat for use by the Marine Department and his request for a letter of support to the County Government Finance Review Board. Mr. Chadwick moved that the Board send the letter. Mr. Bennett seconded. Discussion followed. So voted unanimously.

Mr. Bennett noted a resident concern about car accidents due to school buses and that he would be on National Public Radio tomorrow morning.

At 10:03 PM, Chairman Glowacki polled the Board and Mr. Bennett, Mr. Chadwick, Mr. Watts, Mr. Willauer, and Mr. Glowacki voted to adjourn to executive session, not to return to open session for the purpose of approving minutes and discussing real estate matters. So voted unanimously.

Approved the 30th day of November 2005.